

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

STATE OF ARIZONA, *et al.*,

PLAINTIFFS,

v.

MERRICK GARLAND, in his official  
capacity as Attorney General of the United  
States, *et al.*,

DEFENDANTS.

CIVIL ACTION No. 6:22-cv-01130

## **PLAINTIFF STATES' MOTION FOR LIMITED JURISDICTIONAL DISCOVERY**

The States of Arizona, Louisiana, Missouri, Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Mississippi, Montana, Nebraska, Oklahoma, South Carolina, Utah, West Virginia, and Wyoming (collectively, the “States”), respectfully move for an order authorizing limited jurisdictional discovery that requires Defendants to produce high-level data from the Asylum Rule’s actual implementation, as compared to the operation of the prior rule. Specifically, the States move for an order requiring Defendants to produce the following statistics broken out week-by-week:

- The number of asylum grants and denials since May 31, 2022 made (1) under the new Asylum IFR in the areas where it has been implemented and (2) under the prior regime in the areas where it has not. Numbers should be broken out by the administrative and geographic divisions/sectors used by DOJ and DHS.
- Numbers for asylum grants and denials for the three years prior to May 31, 2022, broken out by the same administrative divisions used for the preceding inquiry.
- The numbers of asylum recipients settling in each State, broken out by State, for the last three years.

This narrow scope of discovery will shed light on the States’ injuries from the Asylum IFR without imposing a substantial burden on Defendants and assist the States in drafting a Second Amended Complaint that addresses Defendants’ standing objections.

Defendants oppose this request and have indicated that they “can’t agree to provide discovery before there is an operative complaint.”

Dated: October 14, 2022

Respectfully submitted,

By: /s/ Elizabeth B. Murrill

MARK BRNOVICH  
Attorney General  
Brunn ("Beau") W. Roysden III \*\*  
Solicitor General  
Drew C. Ensign \*\*  
Deputy Solicitor General  
James K. Rogers \*\*  
Senior Litigation Counsel  
OFFICE OF THE ARIZONA ATTORNEY  
GENERAL  
2005 North Central Avenue  
Phoenix, AZ 85004  
[beau.roysden@azag.gov](mailto:beau.roysden@azag.gov)  
[drew.ensign@azag.gov](mailto:drew.ensign@azag.gov)  
[james.rogers@azag.gov](mailto:james.rogers@azag.gov)

*Counsel for Plaintiff State of Arizona*

Steve Marshall  
Alabama Attorney General  
Edmund G. LaCour Jr. \*\*  
Solicitor General  
Office of the Attorney General  
State of Alabama  
501 Washington Avenue  
P.O. Box 300152  
Montgomery, Alabama 36130-0152  
Telephone: (334) 242-7300  
[Edmund.LaCour@AlabamaAG.gov](mailto:Edmund.LaCour@AlabamaAG.gov)

*Counsel for Plaintiff State of Alabama*

ELIZABETH B. MURRILL (La #20685)  
Solicitor General  
J. SCOTT ST. JOHN (La #36682)  
Deputy Solicitor General  
LOUISIANA DEPARTMENT OF JUSTICE  
1885 N. Third Street  
Baton Rouge, Louisiana 70804  
Tel: (225) 326-6766  
[murrille@ag.louisiana.gov](mailto:murrille@ag.louisiana.gov)  
[stjohnj@ag.louisiana.gov](mailto:stjohnj@ag.louisiana.gov)

*Counsel for Plaintiff State of Louisiana*

ERIC S. SCHMITT  
Attorney General  
D. JOHN SAUER \*  
Solicitor General  
OFFICE OF THE MISSOURI  
ATTORNEY GENERAL  
Supreme Court Building  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
[John.Sauer@ago.mo.gov](mailto:John.Sauer@ago.mo.gov)

*Counsel for Plaintiff State of Missouri*

Treg R. Taylor  
Attorney General of Alaska  
CORI M. MILLS\*\*  
Deputy Attorney General of Alaska  
Christopher A. Robison\*\*  
Assistant Attorney General  
Alaska Department of Law  
1031 West 4th Avenue, Suite 200  
Anchorage, AK 99501-1994  
[chris.robison@alaska.gov](mailto:chris.robison@alaska.gov)

*Counsel for Plaintiff State of Alaska*

LESLIE RUTLEDGE  
Arkansas Attorney General  
NICHOLAS J. BRONNI\*  
Solicitor General  
DYLAN L. JACOBS\*  
Deputy Solicitor General  
OFFICE OF THE ARKANSAS  
ATTORNEY GENERAL  
323 Center Street, Suite 200  
Little Rock, Arkansas 72201  
(501) 682-2007  
[Nicholas.Bronni@arkansasag.gov](mailto:Nicholas.Bronni@arkansasag.gov)  
[Dylan.Jacobs@arkansasag.gov](mailto:Dylan.Jacobs@arkansasag.gov)

*Counsel for Plaintiff State of Arkansas*

CHRISTOPHER M. CARR  
Attorney General of Georgia  
STEPHEN J. PETRANY\*\*  
Solicitor General  
OFFICE OF THE GEORGIA  
ATTORNEY GENERAL  
40 Capitol Square, SW  
Atlanta, Georgia 30334  
(404) 458-3408  
[spetrany@law.ga.gov](mailto:spetrany@law.ga.gov)

*Counsel for Plaintiff State of Georgia*

THEODORE E. ROKITA  
Indiana Attorney General  
Betsy M. DeNardi\*\*  
Director of Complex Litigation  
Indiana Government Center South  
302 W. Washington St., 5th Floor  
Indianapolis, IN 46204  
[Betsy.DeNardi@atg.in.gov](mailto:Betsy.DeNardi@atg.in.gov)

*Counsel for Plaintiff State of Indiana*

ASHLEY MOODY  
Attorney General  
JAMES H. PERCIVAL\*\*  
Deputy Attorney General of Legal Policy  
OFFICE OF THE FLORIDA  
ATTORNEY GENERAL  
The Capitol, Pl-01  
Tallahassee, Florida 32399-1050  
Phone: (850) 414-3300  
[james.percival@myfloridalegal.com](mailto:james.percival@myfloridalegal.com)

*Counsel for Plaintiff State of Florida*

Lawrence G. Wasden  
Attorney General  
Brian Kane\*\*  
Chief Deputy Attorney General  
Office of the Idaho Attorney General  
700 W. Jefferson Street, Ste. 210  
P.O. Box 83720  
Boise, ID 83720  
Telephone: (208) 334-2400  
Email: [Brian.Kane@ag.idaho.gov](mailto:Brian.Kane@ag.idaho.gov)

*Counsel for Plaintiff State of Idaho*

Derek Schmidt  
Attorney General  
Dwight R. Carswell\*\*  
Deputy Solicitor General  
Office of the Kansas Attorney General  
120 SW 10th Ave., 3rd Floor  
Topeka, KS 66612-1597  
[dwight.carswell@ag.ks.gov](mailto:dwight.carswell@ag.ks.gov)

*Counsel for Plaintiff State of Kansas*

DANIEL CAMERON  
Attorney General of Kentucky  
Marc Manley\*\*  
Associate Attorney General  
Kentucky Office of the  
Attorney General  
700 Capital Avenue, Suite 118  
Frankfort, Kentucky  
Tel: (502) 696-5478

*Counsel for Plaintiff Commonwealth of  
Kentucky*

LYNN FITCH  
Attorney General of Mississippi  
JUSTIN L. MATHENY\*\*  
Deputy Solicitor General  
OFFICE OF THE MISSISSIPPI  
ATTORNEY GENERAL  
P.O. Box 220  
Jackson, MS 39205-0220  
Tel: (601) 359-3680  
[justin.matheny@ago.ms.gov](mailto:justin.matheny@ago.ms.gov)

*Counsel for Plaintiff State of Mississippi*

DOUGLAS J. PETERSON  
Attorney General  
JAMES A. CAMPBELL\*\*  
Solicitor General  
OFFICE OF THE NEBRASKA ATTORNEY  
GENERAL  
2115 State Capitol  
Lincoln, Nebraska 68509  
Tel: (402) 471-2682  
[jim.campbell@nebraska.gov](mailto:jim.campbell@nebraska.gov)

*Counsel for Plaintiff State of Nebraska*

AUSTIN KNUDSEN  
Attorney General  
DAVID M.S. DEWHIRST\*  
Solicitor General  
MONTANA DEPARTMENT OF JUSTICE  
215 N Sanders St  
Helena, MT 59601  
P. (406) 444-2026  
[David.Dewhirst@mt.gov](mailto:David.Dewhirst@mt.gov)

*Counsel for Plaintiff State of Montana*

JOHN M. O'CONNOR  
Attorney General of Oklahoma  
BRYAN CLEVELAND\*\*  
Deputy Solicitor General  
OKLAHOMA ATTORNEY GENERAL'S  
OFFICE  
313 NE 21st Street  
Oklahoma City, OK 73105  
Phone: (405) 521-3921

*Counsel for Plaintiff State of Oklahoma*

Sean D. Reyes  
*Utah Attorney General*  
Melissa Holyoak\*\*  
*Utah Solicitor General*  
350 N. State Street, Suite 230  
P.O. Box 142320  
Salt Lake City, UT 84114-2320  
(801) 538-9600  
[melissaholyoak@agutah.gov](mailto:melissaholyoak@agutah.gov)

*Counsel for Plaintiff State of Utah*

ALAN WILSON

South Carolina Attorney General  
Thomas T. Hydrick\*\*  
Assistant Deputy Solicitor General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-4127  
[thomashydrick@scag.gov](mailto:thomashydrick@scag.gov)

*Counsel for the State of South Carolina*

BRIDGET HILL

Attorney General of Wyoming  
RYAN SCHELHAAS\*\*  
Chief Deputy Attorney General  
OFFICE OF THE WYOMING ATTORNEY  
GENERAL  
109 State Capitol  
Cheyenne, WY 82002  
Tel: (307) 777-5786  
[ryan.schelhaas@wyo.gov](mailto:ryan.schelhaas@wyo.gov)

*Counsel for Plaintiff State of Wyoming*

Patrick Morrissey

Attorney General  
Lindsay See\*\*  
Solicitor General  
Office of the West Virginia Attorney General  
State Capitol, Bldg 1, Room E-26  
Charleston, WV 25305  
(681) 313-4550  
[Lindsay.S.See@wvago.gov](mailto:Lindsay.S.See@wvago.gov)

*Counsel for Plaintiff State of West Virginia*

\* Pro hac vice application forthcoming

\*\* Pro hac vice application granted